IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2026

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

AND

THE HONOURABLE MRS.JUSTICE K.GOVINDARAJAN THILAKAVADI

W.P. Nos.6164 and 6962 of 2026
and
W.M.P. Nos.6656 and 7572 of 2026

1. Union of India
   Rep. by the Postmaster General
   Western Region (TN)
   Coimbatore – 641 002

2. The Director of Postal Services
   O/o the Postmaster General
   Western Region (TN)
   Coimabtore – 641 002

3. The Superintendent of Post Offices
   Nilgiris Division
   Udagamandalam - 643 001 ... Petitioners in both WPs.

Versus

H.Sangeetha … Respondent in W.P. No.6164/2026

D.Dharanya … Respondent in W.P. No.6962/2026

Prayer in W.P. No.6164/2026:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari by calling for the records pertaining to the proceedings of the Central Administrative Tribunal, Chennai Bench, dated 25.08.2025 in O.A. No.188 of 2025 and quash the order passed therein.

Prayer in W.P. No.6962/2026:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari by calling for the records pertaining to the proceedings of the Central Administrative Tribunal, Chennai Bench, dated 25.08.2025 in O.A. No.187 of 2025 and quash the order passed therein.

<u>In both WPs.</u>

For Petitioners	:	Ms.V.J. Latha
For Respondent	:	Mr.R.Malaichamy

<u>COMMON ORDER</u>

(Order of the Court was made by P.VELMURUGAN, J.)

These Writ Petitions have been filed to quash the proceedings of the Central Administrative Tribunal, Chennai Bench, dated 25.08.2025 in O.A. No.188 of 2025 and O.A. No.187 of 2025.

2. The learned counsel for the petitioners submitted that the respondents are responsible for the gross negligence for the loss caused to the Government and therefore, charge memos were issued to the respondents for which, they submitted their explanations. However, the same were not satisfied. Hence, the Department imposed minor penalty on the respondents for recovery of loss caused to the Government. Since it is only a minor penalty, no detailed enquiry was conducted. The same was challenged by the respondents before the Central Administrative Tribunal and the Tribunal without considering the fact that the petitioners are at liberty to recover from their employees the amount of loss caused to the Department by them owing to their negligence and carelessness, set aside the order passed by the Department and directed the petitioners to conduct a detailed enquiry. When once the Department came to the conclusion that it should impose a minor penalty based on the explanation offered by the respondents, directing the petitioners to conduct a detailed enquiry is perverse. Since it is only a minor penalty, no detailed enquiry is required and there is no mandate to conduct a detailed enquiry for imposing minor penalty. Therefore, the order of the Central Administrative Tribunal is liable to be set aside.

3. The learned counsel for the respondents submitted that the Tribunal while setting aside the order passed by the Department, had directed the disciplinary authority to conduct a detailed enquiry after giving opportunity to the respondents. Since the respondents had not admitted their liability/negligence, it is for the Department to establish the negligence on the part of the respondents and then only the respondents can be held responsible for the loss caused to the Government. In the absence of the same, the order passed by the Department is liable to be set aside. Therefore, the Tribunal has rightly held that the order passed by the Department is liable to be set aside and opportunity has to be given to the respondents before passing of the final order and thereby remitted the issue back to the disciplinary authority for conducting a detailed enquiry. Therefore, there is no merit in this petition.

4. Heard both sides and perused the materials available on record.

5. Admittedly, after the respondents were served with the charge memo, explanations were also offered by the respondents. Thereafter, the petitioners/Department imposed a penalty on the respondents. According to the petitioners/Department, the explanations offered by the respondents were not satisfactory and therefore, they imposed the penalty on the respondents

only for recovery of a meagre amount of Rs.1,74,757/- and Rs.2,79,611/- and since it is a minor penalty, no detailed equiry is required.

6. A reading of the materials produced by the petitioners shows that no detailed enquiry was conducted by the petitioners/Department. Whether it is a minor penalty or major penalty, when the respondents dispute the liability, it is for the Department to establish the same after giving opportunity to the respondents. As in a summons case in Criminal Case, for a minor penalty in departmental proceedings, charges need not be framed, but explaining the allegations is sufficient. However, if the delinquent opts for an enquiry, it has to be conducted, otherwise, reasons must be given as to why the detailed enquiry is not necessary. Therefore, the Tribunal has rightly set aside the order passed by the Department and remitted the issue back to the disciplinary authority to conduct a detailed enquiry after giving opportunity to the respondents. This Court does not find any perversity in the impugned order passed by the Tribunal and no prejudice would be caused to the petitioners/Department in conducting a detailed enquiry and deciding the issue after giving opportunity to the respondents. Therefore, there is no merit in this Writ Petition.

7. As directed by the Tribunal, the Petitioners/Department is directed

to conduct a detailed enquiry after giving an opportunity to the respondents and dispose of the matter within a period of three months from the date of receipt of a copy of this order. The respondents also are directed to extend their co-operation for the early disposal of the matter and both the parties are directed to adhere to the conditions imposed by the Tribunal.

8. With the above directions, these Writ Petitions are disposed of. Consequently, the connected Miscellaneous Petitions are closed.

[P.V.,J.] **[K.G.T.,J.]**
09.03.2026

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To
The Central Administrative Tribunal,
Chennai Bench

P.VELMURUGAN, J.,
AND

K.GOVINDARAJAN THILAKAVADI.J.,

ksa-2

W.P. Nos.6164 and 6962 of 2026

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